

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

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W.R. GRACE & CO., et al.,

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Chapter 11

Debtor.

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Case No. 01-01139 (JKF)
(Jointly Administered)

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Related Docket No. 22819, 22890

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**CNA’S FINAL ORDER OF WITNESSES WITH
ESTIMATED TIME OF DIRECT EXAMINATION**

Pursuant to the Fourth Amended Case Management Order (“CMO”) [Docket No. 22819], Continental Casualty Company and Continental Insurance Company, on their behalf and on behalf of their predecessor companies, affiliates and subsidiaries which issued insurance policies to the Debtors (individually or collectively, “CNA”) submits this Final Order of Witnesses with Estimated Time of Direct Examination.

CNA expects to call only one witness live at the Phase II Confirmation Hearings: James B. Shein, Professor of Management and Strategy at the Kellogg School of Management at the Northwestern University.¹ CNA expects that Professor Shein’s direct examination will take one and one half hours -- although CNA will endeavor to keep the direct examination as short as possible.

As stated in CNA’s Phase II Pretrial submission, filed on July 20, 2009, CNA also expects to present certain testimony by deposition. As it is CNA’s understanding that the Court will review the deposition testimony designated by the parties outside of the actual hearing, it

¹ In its Phase II Pretrial submission filed on July 20, 2009, CNA identified an additional witness (H. Sean Mathis) that it expected to call as a witness. CNA has subsequently notified the Plan Proponents that it no longer plans to call Mr. Mathis as a witness at the Phase II Confirmation Hearings.

does not expect that any time will be devoted at the actual hearing to present this deposition testimony.

Finally, as CNA indicated in its Phase II Pretrial Submission, to the extent necessary, CNA may need to call rebuttal witnesses in response to any issue raised by the Plan Proponents or other parties as part of the Plan Confirmation process or to authenticate documents.

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Respectfully submitted,

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Dated: August 24, 2009